

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <i>vs.</i>  Walter Edward Kostich	<i>For U. S.:</i> Hubert H. Bryant Asst. U. S. Atty.   <i>For Defendant:</i> Terry L. <del>Meltzer</del> Meltzer Woodland Professional Bldg Tulsa, Oklahoma

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 10-1-69	Clerk					
J.S. 3 mailed 10-21-69	Marshal					
Violation Damages to aircraft & radios Title 18	Docket fee					
Sec. 32, 2						

DATE	PROCEEDINGS
9-4-69	Record vote of the grand jury, filed in open court. b
9-4-69	Indictment, filed in open court. b
9-4-69	Personal bond of the defendant in the sum of \$10,000.00, by depositing \$1,000.00 cash, filed. b
9-4-69	Order specifying methods and conditions of release filed. b
9-25-69	Defendant present in person and represented. Defendant arraigned and enters a plea of NOT GUILTY and case set for Jury Trial on Monday, 10-20-69 at 9:30 and defendant allowed 10 days in which to file motions.(AEB-J)h
10-20-69	Defendant present in person and represented. Parties announce ready for jury trial and case passed for jury trial on Tues. 10-21-69 at 10:00.
10-21-69	Case called for jury trial, on 10-21-69 and 10-22-69. Jury returns with verdict of NOT GUILTY as to the defendant Edward Kostich. Verdict received, read and filed in open court. Judgment entered on the verdict. Jury Discharged.(AEB-J)h
10-22-69	Exhibits filed. h
10-22-69	Order of Judgment filed. It is ordered that the defendant is adjudged Not Guilty, and he is hereby discharged and his bond is exonerated. (AEB-J)h



A. O. 100  
(Rev. 1-59)

## UNITED STATES COMMISSIONER

DISTRICT OF

## RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE **Benjamin B. Ballenger**

(Name of commissioner)

411 U. S. Court House, Tulsa, Oklahoma

(Address)

COMMISSIONER'S  
DOCKET No. **1** CASE No. **485**  
THE UNITED STATES  
vs.

**Walter Edward Kostich****(40)**

Complaint filed on **April 18**, 19**69**, by **Robert T. Robison**  
Official title **Spec. Agt. F. B. I.**, charging violation of  
United States Code, Title **18**, Section **32&2(a)**, on **11-16-**  
**19 68**, at **Tulsa, Oklahoma** in the  
division of the **Northern** district of **Oklahoma**  
as follows: **aid and abet others to damage and disable**  
**radio appliances of five civil aircraft with intent**  
**to damage and disable such aircraft then being owned,**  
**operated and used by Ross Aviation, Inc., in inter-**  
**state commerce from Tulsa, Ok., to Nevada, et al.**

(Here insert brief summary of facts constituting offense charged)

## WARRANTS OR SUMMONS ISSUED:

Date **April 18, 1969** Warrant/Summons for **Walter Edward Kostich**

(Name of defendant)

to (name and title of officer) **the United States Marshal or any other authorized officer.**Substance of return **Defendant Walter Edward Kostich arrested 4-18-69 by Carl W. Gardner, Dep. U.S. Marshal and taking him before U. S. Commr. Ballenger.**

Date \_\_\_\_\_ Warrant/Summons for \_\_\_\_\_

to (name and title of officer) \_\_\_\_\_

Substance of return \_\_\_\_\_

**FILED**

(Name of defendant)

**17, 119**  
**APR 25 1969**

## PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date **4-18-69** Arrested by **Carl W. Gardner**  
**Dep. U. S. Marshal**  
**Hubert H. Bryant**

**M. M. EWING** **Ballenger**  
on warrant of **U. S. DISTRICT COURT**  
(Name of issuing officer)  
without warrant.

Appearances { for United States \_\_\_\_\_ (Name) \_\_\_\_\_ (Address)  
for accused **Terry L. Meltzer** \_\_\_\_\_ (Name) \_\_\_\_\_ (Address)

Proceedings taken **April 18, 1969 Defendant Walter Edward Kostich presnet in****person and represented by Terry L. Meltzer, advised as to the charge and**

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing"; "preliminary examination waived,"  
**to preliminary hearing; requested preliminary hearing, set for April 25, 1969**

if that is the fact; any adjournments taken, etc.

**at 9:00 A. M. Bond fixed at \$10,000.00, 10% Cash. Bond posted for appearance**  
**before the Commissioner or Court. Order of release issued, defendant restricted**  
**not to leave the Northern District of Oklahoma.**

Outcome **Held for preliminary, released on \$10,000.00, 10% bond.**

Bail fixed **April 18th**, 19**69** Amount, \$ **10,000.00** Bonded **April 18,** 19**69**, by cash  
deposited by (name) **(10%) Walter Edward Kostich** address **938 W. "C" Jenks, Okla 74037**  
transmitted to clerk of district court **Tulsa, Oklahoma** **April 18th**, 19**69** [or] by surety  
(name) \_\_\_\_\_ Address \_\_\_\_\_  
(name) \_\_\_\_\_ Address \_\_\_\_\_, who  
justified by affidavit dated \_\_\_\_\_, 19\_\_\_\_\_, [or] committed to \_\_\_\_\_  
on \_\_\_\_\_, 19\_\_\_\_\_.

SUBPOENAS FOR WITNESSES ISSUED:

....., 19....., for (name of witness).....  
 at request of (name of party).....  
 Substance of return.....

....., 19....., for (name of witness).....  
 at request of (name of party).....  
 Substance of return.....

....., 19....., for (name of witness).....  
 at request of (name of party).....  
 Substance of return.....

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date..... Appearances for

United States (Name) .....  
 (Address) .....  
 Accused (Name) .....  
 (Address) .....

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing..... names certified to United States Marshal for payment....., 19.....  
 Proceedings taken.....

**April 25, 1969 Defendant, Walter Edward Kostich, present in person  
 and represented by Terry L. Meltzer, defendant waives  
 preliminary hearing. Defendant permitted to remain  
 on present bond in the amount of \$10,000.00, 10%  
 Cash, to appear for Court action.**

Outcome. **Waived preliminary hearing.**

Bail fixed....., 19..... Amount, \$..... Bonded....., 19....., by cash  
 deposited by (name)..... Address.....  
 transmitted to clerk of district court....., 19.....  
 [or] by surety (names)..... Address.....  
 and..... Address.....  
 who justified by affidavit....., 19..... Committed to.....  
 on....., 19.....

Certified to be a correct transcript.

Made this **25th** day of **April**, 19 **69**

Transmitted to Clerk of United States District Court for the **Northern**  
 district of **Oklahoma**, **April 25th**, 19 **69**

**Benjamin B. Ballenger**

United States Commissioner.